

Remarks

Reconsideration of the application is respectfully requested.

Claims 1-3, 6-11 and 14-28 have been rejected. In this Response, claims 1, 2, 7, 9, and 27-28 have been amended. The amendments are fully supported by the originally filed application. No new matter is added.

Accordingly, claims 1-3, 6-11, and 14-28 are now pending, and reconsideration is respectfully requested.

Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 24, 25, 27, and 28 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent App. No. 2002/0128036 to Yach et al. ("Yach"). A prior art reference cited in a rejection under 35 U.S.C. § 102 must teach each and every element of the claim in detail at least as complete as the rejected claim. Reconsideration of these rejections is respectfully requested for at least the following reasons.

Claim 24 recites in part, "wherein the user interface is configured to be *directly accessible from an operating state* selected from the group consisting of an email composition state for composing an email, a text message composition state for composing a text message, and a voice message composition state for composing a voice message...."

Yach does not teach this feature. Yach teaches that a *composition state* is accessible *from a unified event listing* after a message is selected. The user selects a message from the unified event listing, which causes that message to be displayed with a menu selection user interface which includes options for actions, some of which include replying to the message via SMS, by email or by telephone. The user then selects an action item from that menu which will allow the user to enter a composition state. Therefore, Yach teaches accessing composition states *from the unified event listing* – but nowhere does Yach teach or even suggest making a unified message function *directly accessible from one of the operating states disclosed by Applicants*.

For at least these reasons, Applicants respectfully submit that claim 24 is patentable over Yach.

Similarly, claim 27 recites in part, *"in response to a user request while facilitating the user in said composing of an email message, a text message or a voice message, switching by the wireless mobile communication device to facilitating the user in unified viewing of the received messages using the unified message objects."*

Yach in no way teaches or even suggests this feature. The Examiner refers to Section 0117 of Yach for the premise that "a user can view the unified event listing whenever said user desires" and that this renders a scenario wherein a user refers to the unified event listing while composing a message. Applicants respectfully disagree. Again, §102 rejections require clear and unequivocal teaching of the claimed feature by the prior art. A user of course can view a listing whenever the user desires. But it does not mean the user can transition into viewing the list from any and all operational states of the prior art device. There is no basis for the Examiner to attribute such a broad reading to this section. Without such sweeping broad attribution of meaning, Yach cannot be said to teach the feature of responding *"to a user request while facilitating the user in said composing of an email message, a text message or a voice message, switching by the wireless mobile communication device to facilitating the user in unified viewing of the received messages using the unified message objects."*

In particular, Applicants can find no disclosure by Yach, in Section 0117 or elsewhere, that supports the phrase "a user can view the unified event listing whenever the user desires." This phrase does not appear in the section cited. Nor does Yach ever mention or even suggest accessing the unified function from another state. But even if the phrase appeared in the specification, it would necessarily be given its plain meaning, i.e. that a user can view the list anytime (whenever) the user desires, not from anywhere (wherever).

Because Yach fails to teach every feature of claim 27, Applicants respectfully submit that claim 27 is thus patentable over Yach. In addition, Applicants take this

opportunity to note that neither Cermak nor Gidwani, discussed in the section below, teach or suggest these features.

Claim 25 and claim 28 depend from claims 24 and 27, respectively, incorporating their recitations, and are therefore patentable over Yach for at least the same reasons. Reconsideration of these rejections is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1, 3, 6-9, 11, and 14-23 were rejected under 35 USC 103 as being unpatentable over U.S. Pat. No. 6,763,095 to Cermak et al. (hereinafter "Cermak") in view of U.S. Pat. App. No. 2002/0128036 to Yach et al. (hereinafter "Yach") and in further view of U.S. Pat. No. 6,640,239 to Gidwani (hereinafter "Gidwani").

Claims 2 and 10 were rejected as being unpatentable over the above prior art in further view of U.S. Pat. App. No. to Kaaresoja et al. (hereinafter "Kaaresoja").

Claim 26 was rejected as being unpatentable over Yach in view of Kaaresoja. Reconsideration of these rejections is respectfully requested.

1. Claims 1, 3, 6-9, 11, and 14-23

In the Office Action, claim 1 was rejected under 35 USC 103 as being unpatentable over U.S. Pat. No. 6,763,095 to Cermak et al. (hereinafter "Cermak") in view of U.S. Pat. App. No. 2002/0128036 to Yach et al. (hereinafter "Yach") and in further view of U.S. Pat. No. 6,640,239 to Gidwani (hereinafter "Gidwani").

The Examiner stated that it would have been obvious to one of ordinary skill in the art to modify the system of Cermak with the unified event listing functionality of Yach and the unified communications method of Gidwani in order to arrive at the recitations of claim 1. Applicants respectfully disagree.

Gidwani was cited for teaching "particularizing the list of communication messages to include only messages **specific to** a single communication partner." But this is not the recitation of claim 1. Claim 1 recites "particularizing the list of communication messages to include only messages **to and from** a single

communication partner, the particularized list being a thread of communication with the communication partner.” In contrast, a careful reading of the passages cited by the Examiner shows that the particularized list taught by Gidwani includes only the messages **received** from a communication partner: “[t]he subscriber can choose to select a unified messaging thread, so that all communications from the specific named individual are grouped together....” (Col. 49, lines 53-59). Notably, the illustration of Gidwani’s ‘unified messaging thread’ (see Figure 16) does not show or identify any messages *sent* by the user.

Therefore, Gidwani cannot teach or even suggest Applicants’ novel method, which unifies the display of messages both to and from a plurality of communication partners and allows the user to quickly and conveniently view a thread of conversation with a communication partner.

Cermak and Yach cannot remedy the deficiencies of Gidwani with respect to this feature because Cermak and Yach do not disclose a particularized list as recited by Applicants. Therefore, Applicants respectfully request the Examiner’s reconsideration of the rejections in light of the above argument and the amendments as described below.

Claim 9 includes similar recitations discussed above for claim 1 and is patentable over the cited references for at least the same reasons. In addition, claim 9 has been amended to recite in part “particularize, in response to a second input inputted used the input device, the list of communication messages to include only messages to and from a single communication partner, wherein the single communication partner is a group of communication partners who are members of a group identity, the particularized list being a thread of communication with the group.” This amendment is supported at least by Figure 3b (showing a thread of communication with a communication partner), page 7, lines 4-8 (defining “a communication partner” as being inclusive of “a group of communication partners”), and page 11, lines 14-21 (user interface provides a unified thread of communication with a particularized communication partner, e.g. a group of communication partners who are

members of a group id).

Gidwani explicitly teaches away from this recitation by specifying that the unified messaging thread groups together messages from a specific named *individual*. Again, Yach and Cermak do not teach or suggest a particularized list as recited by Applicants. Therefore, for at least the above reasons, claim 9 is also patentable over the combination of Cermak, Yach and Gidwani.

Claims 2-3, 6-8, and 18-20 depend from claim 1, incorporating its recitations, and are thus patentable for at least the same reasons.

Claims 10-11, 14-17, and 21-23 depend from claim 9, incorporating its recitations, and are thus patentable for at least the same reasons.

2. Claims 2, 7, 10, and 26

Claim 2 is amended to recite switching, by the wireless mobile device, from an operational state configured for facilitating a user in composing an email, a text message, or a voice message, to an operational state configured for displaying the list of communication messages or the particularized list. Claim 2 is therefore allowable over the cited references for at least the same reasons as claim 24, discussed above.

Claim 7 is currently amended to recite subject matter similar to that previously recited by claim 2. Amended claim 7 now recites that the displaying of claim 1 further comprises displaying icons representing the identities of communication partners of the group, each communication partner of the group being represented by an icon unique to that communication partner. Claims 10 and 26 include recitations similar to those of amended claim 7.

Kaaresoja was cited for teaching displaying a pictorial icon depicting a communication partner, substantially as recited in the current claims 7, 10 and 26. But Kaaresoja in no way teaches or suggests this feature. Kaaresoja merely discloses a method of enabling a user to send a tactile communication to a recipient, and suggests combining tactile communication with text, pictures, animation or sound to enhance communication. Kaaresoja in no way teaches or suggests using a pictorial icon to

represent a communication partner. Similarly, Cermak discloses an icon to alert the user that a message has been received, but does not suggest using an icon to represent the identity of a communication partner. Therefore, for at least these additional reasons, claims 7, 10 and 26 are allowable over the cited art.

In light of the above amendments and discussion, Applicants respectfully request the Examiner's reconsideration of the rejections.

Conclusion

In view of the foregoing, reconsideration and allowance of claims 1-3, 6-11, and 14-28 are solicited. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,
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